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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/189,250

11/10/98

SILVESTER

K

INTL-0154-US

WM02/0411

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EXAMINER

HOOSAIN, A

ART UNIT

PAPER NUMBER

2645

DATE MAILED:

04/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/189,250

Applicant(s)

SILVESTER, KELAN C.

Examiner

Allan Hoosain

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment A, 2/9/01.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-12 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-12 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9-12 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Greco et al.** (US 5,568,540) in view of **Alfred et al.** (US 5,894,504).

As to Claim 9, with respect to Figures 1-3, **Greco** teaches a computer-implemented method of handling telephonic messages comprising:

identifying the source of the telephonic message (Figure 2 and Col. 4, lines 45-62);

Greco does not teach the following limitations:

- (I) converting at least a portion of the telephonic message to text
- (II) displaying said text in connection with a graphical user interface

Alfred teaches the limitations (Col. 1, lines 53-67 and Col. 6, line 54 through Col. 7, line

- 2). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add speech-to-text capability to **Greco's** invention as taught by **Alfred's** invention in order to allow a called party to review and assess the importance of a call while the called party is engaged with another call.

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As to Claim 10, **Greco** teaches the method of Claim 9, wherein displaying said text includes displaying text together with information about electronic mail messages on the same graphical user interface (Figure 2 and Col. 4, lines 54-62).

As to claim 11, **Greco** teaches the method of claim 9 further including identifying the source of the message and handling the message differently depending on the source of the message (Figures 2 and 4).

As to Claim 12, with respect to Figures 1-3 **Greco** teaches an article comprising a medium for storing instructions that cause a computer to:

Identify the source of a telephonic message (Figure 2 and Col. 4, lines 45-62);

Greco does not teach the following limitations:

(I) convert at least a portion of the telephonic message to text

(II) display said text in connection with a graphical user interface

Alfred teaches the limitations (Col. 1, lines 53-67 and Col. 6, line 54 through Col. 7, line

2). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add speech-to-text capability to **Greco's** invention as taught by **Alfred's** invention in order to allow a called party to review and assess the importance of a call while the called party is engaged with another call.

As to Claim 24, with respect to Figures 1-3, **Greco** teaches a system for handling messages comprising:

Greco does not teach the following limitations:

- (I) a first device that identifies the source of the telephonic message
- (II) a second device that converts at least a portion of the telephonic message to text
- (II) a third device that displays the text in connection with a graphical user interface

Alfred teaches the limitations (Col. 1, lines 53-67, Col. 6, lines 4-18 and line 54 through Col. 7, line 2). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add speech-to-text capability to **Greco's** invention as taught by **Alfred's** invention in order to allow a called party to review and assess the importance of a call while the called party is engaged with another call.

Response to Arguments

1. Applicant's arguments with respect to claim 9-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McCutcheon et al. (US 6,161,007) teach speech-to-text translation of voice mail messages.

Greco et al. (US 5,625,676) teach computer for monitoring a caller's name while the called party is on another call.

7. Any response to this action should be mailed to:

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Washington, D.C. 20231
or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6296 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Allan Hoosain
Allan Hoosain
Primary Examiner
04/06/01